

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM STEPHENSON,

Plaintiff,

v.

COUNTY OF PLACER,

Defendants.

No. 2:20-cv-2227 DJC SCR P

ORDER

Plaintiff, a former jail detainee proceeding in forma pauperis, sought relief pursuant to 42 U.S.C. § 1983. Judgment was entered in this action on February 18, 2025. (ECF No. 71.) On March 3, 2025, plaintiff filed a notice of appeal and a motion for leave to proceed in forma pauperis on appeal. (ECF Nos. 72 and 73.) On March 4, 2025, District Judge Calabretta referred the matter to the undersigned for “further proceedings consistent with Plaintiff’s Motion to Proceed IFP on appeal.” (ECF No. 75.)

The Federal Rules of Appellate Procedure provide as follows:

A party who was permitted to proceed in forma pauperis in the district-court action ... may proceed on appeal in forma pauperis without further authorization, unless ... the district court—before or after the notice of appeal is filed—certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis[.]

Fed. R. App. P. 24(a)(3); see also 28 U.S.C. §1915(a)(3) (“An appeal may not be taken in forma

1 pauperis if the trial court certifies in writing that it is not taken in good faith.”). The court
2 previously permitted plaintiff to proceed in forma pauperis. (ECF No. 8.) The court has not
3 certified that plaintiff’s appeal is not taken in good faith and has not otherwise found that plaintiff
4 is not entitled to proceed on appeal in forma pauperis. Accordingly, plaintiff “may proceed on
5 appeal in forma pauperis without further authorization[.]” Fed. R. App. P. 24(a)(3). Plaintiff’s
6 motion for leave to proceed in forma pauperis on appeal will be denied as unnecessary.

7 In accordance with the above, IT IS HEREBY ORDERED that plaintiff’s March 3, 2025,
8 motion to proceed in forma pauperis on appeal (ECF No. 73) is denied as unnecessary. See Fed.
9 R. App. P. 24(a).

10 DATED: April 7, 2025

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13 SEAN C. RIORDAN
14 UNITED STATES MAGISTRATE JUDGE
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